

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERNEST FLAGG, as Next Friend of
JONATHAN BOND, a Minor,

Case No. 05-CV-74253

Plaintiffs,

District Judge Gerald E. Rosen

v.

Magistrate Judge R. Steven Whalen

CITY OF DETROIT, a municipal corporation;
DETROIT POLICE CHIEF ELLA BULLY-
CUMMINGS; DEPUTY DETROIT POLICE
CHIEF CARA BEST; JOHN DOE POLICE
OFFICERS 1-20; ASST. DEPUTY POLICE
CHIEF HAROLD CURETON; COMMANDER
CRAIG SCHWARTZ; POLICE LT. BILLY
JACKSON; MAYOR KWAME M. KILPATRICK,
CHRISTINE BEATTY, Jointly and Severally,

Defendants.

/

STIPULATION

The parties, through their respective counsel, stipulate to entry of the attached Order.

/s/ Norman A. Yatooma
Norman A. Yatooma (P54746)
Robert S. Zawideh (P43787)
Norman Yatooma & Associates, P.C.
Attorneys for Plaintiffs
219 Elm Street
Birmingham, Michigan 48009
(248) 642-3600
nya@normanyatooma.com

/s/ Mayer Morganroth
Mayer Morganroth (P17966)
Jeffrey B. Morganroth (P41670)
Morganroth & Morganroth, PLLC
Attorneys for Defendant Christine Beatty
3000 Town Center, Suite 1500
Southfield, Michigan 48075
(248) 355-3084
jmorganroth@morganrothlaw.com

/s/ Krystal A. Crittendon

Krystal A. Crittendon (P49981)
John A. Schapka (P36731)
City of Detroit Law Department
Attorneys for Defendants City of Detroit,
Harold Cureton and Craig Schwartz
1650 First National Building
Detroit, Michigan 48226
(313) 224-4550
critk@law.ci.detroit.mi.us

/s/ James C. Thomas

James C. Thomas (P23801)
James C. Thomas, P.C.
Plunkett & Cooney, P.C.
Attorneys for Defendant Mayor
Kwame M. Kilpatrick
535 Griswold, Suite 2632
Detroit, Michigan 48226
(313) 963-2420
jthomas@plunkettcooney.com

/s/ Kenneth L. Lewis

Kenneth L. Lewis (P24071)
Said A. Taleb (P66030)
Randal M. Brown (P70031)
Plunkett & Cooney, P.C.
Attorneys for Defendant Ella Bully-Cummings
535 Griswold, Suite 2400
Detroit, Michigan 48226
(313) 983-4790
klewis@plunkettcooney.com

/s/ Thomas G. Plunkett

Thomas G. Plunkett (P18957)
David E. Plunkett (P66696)
Williams, Williams, Rattner & Plunkett, P.C.
Attorneys for Non-Party Bell Industries, Inc.
d/b/a SkyTel Corp.
380 N. Old Woodward Avenue, Suite 300
Birmingham, Michigan 48009
(248) 642-0333
dep@wwrplaw.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERNEST FLAGG, as Next Friend of
JONATHAN BOND, a Minor,

Case No. 05-CV-74253

Plaintiffs,

District Judge Gerald E. Rosen

v.

Magistrate Judge R. Steven Whalen

CITY OF DETROIT, a municipal corporation;
DETROIT POLICE CHIEF ELLA BULLY-
CUMMINGS; DEPUTY DETROIT POLICE
CHIEF CARA BEST; JOHN DOE POLICE
OFFICERS 1-20; ASST. DEPUTY POLICE
CHIEF HAROLD CURETON; COMMANDER
CRAIG SCHWARTZ; POLICE LT. BILLY
JACKSON; MAYOR KWAME M. KILPATRICK,
CHRISTINE BEATTY, Jointly and Severally,

Defendants.

/

ORDER

The parties having stipulated and the Court being otherwise fully advised in the premises,
it is hereby

ORDERED that the September 5, 2008 Order [Docket #141] by Magistrate Whalen
regarding the procedure for production of text messages by Non-Party Velocita Wireless, LLC
f/k/a Bell Industries, Inc. d/b/a SkyTel (“SkyTel”) is hereby amended; and it is further

ORDERED that section A of the September 5 Order [Docket #141] shall be replaced by
the following:

“On or before **September 12, 2008**, Plaintiff shall serve a Rule 34 Document Request on
Defendant City of Detroit as to incoming or outgoing text messages or other communications,

maintained by SkyTel on behalf of the City of Detroit, that originated from or were received by **any** City of Detroit official or employee on April 30, 2003.

On or before **September 15, 2008**, Defendant City of Detroit shall forward the request to SkyTel, along with its written authorization to release said communications to the Court for *in camera* review.

On or before **September 20, 2008**, SkyTel shall forward three copies of said communications, in CD form, to the chambers of the Honorable Gerald E. Rosen, United States District Judge, Eastern District of Michigan, in a sealed envelope, for distribution to United States Magistrate Judge R. Steven Whalen and United States Magistrate Judge Michael J. Hluchaniuk, who will conduct an *in camera* review."

Honorable Gerald E. Rosen
United States District Judge

Date: _____